

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MR. BAGUETTE, LTD.,

Plaintiff,

vs.

FEDERAL EXPRESS CORPORATION,

Defendant.

No.: 1:07-CV- 7931-GBD

**JOINT MOTION TO
EXTEND SCHEDULING
DEADLINES AND TO
EXTEND TRIAL DATE**

Mr. Baguette, Ltd. and Federal Express Corporation, d/b/a FedEx Express ("FedEx"), submit their Joint Motion to Extend Scheduling Deadlines and to Extend Trial Date, as follows:

BACKGROUND AND FACTS

1. According to this Court's Civil Case Management Plan and Scheduling Order ("Document 7"), a Joint Pre-Trial Order is to be filed no later than May 21, 2008.
2. Likewise according to this Order, a Final Pre-Trial Conference is scheduled for June 18, 2008.
3. Moreover, the parties are to be ready for trial on 48 hours notice on or after July 16, 2008.
4. However, at the March 19, 2008 Case Management Conference, the Court instructed the parties: a. to complete any needed discovery depositions by the end of April; and, b. to agree on a briefing schedule thereafter for dispositive motions.
5. In accordance with the Court's instructions, the parties completed the needed discovery depositions, and they are currently in the process of reading and signing their respective transcripts.

6. As such, the parties will not be in a position to submit a Joint Pre-Trial Order by May 21, 2008.

7. Similarly, needing to brief dispositive motions and to allow the Court sufficient time to consider and rule on the same, they will not be in a position to conduct a Final Pre-Trial Conference on June 18, 2008.

8. And correspondingly, the parties will not be ready for trial by July 16, 2008.

REQUEST FOR RELIEF

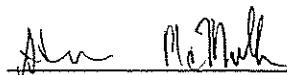
Given the current status of this litigation as set forth above, Mr. Baguette, Ltd. and FedEx respectfully request that the Court extend the current deadlines for filing the Joint Pre-Trial Order, for holding the Final Pre-Trial Conference, and the date for Trial. Extending these deadlines and dates will allow the parties time to read and sign depositions; to brief dispositive motions; will allow the Court sufficient time to consider and rule on those motions; and, will allow the parties time to prepare for trial, if necessary.

This joint motion is submitted in good faith, and not for the purpose of delay. Indeed, neither party has heretofore requested any extensions.

Dated, this the 13th day of May, 2008.

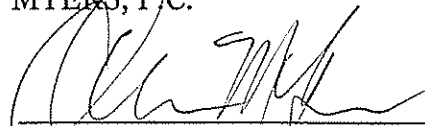
Respectfully submitted,

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